

## PRELIMINARY MINUTES

Notice was duly published April 28, 2020 on page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on May 5, 2020 at 10:00 AM in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Mary Ridder called the regularly scheduled meeting to order at 10:01 AM and stated that this meeting would be held via video conference and telephone, pursuant to the Governor's Executive Order No. 20-03 issued on March 17, 2020, which granted a limited waiver of the Open Meetings Act due to the COVID-19 state of emergency. Commissioners Tim Schram and Dan Watermeier were present in the Commission Hearing Room. Commissioners Crystal Rhoades and Mary Ridder were present via video conference. Commissioner Rod Johnson was present via telephone. Chair Ridder stated that a copy of the Nebraska Open Meetings Act is posted in the meeting room and on the Commission's website. Chair Ridder invited the public to address the Commission telephonically. No public comments were received. No further announcements were made.

Attention was called to the following proceedings:

### Tuesday, May 5, 2020:

MCC- Motor Transportation - **Hearing**  
3196.02 11:00 a.m. - Commission Hearing Room, Lincoln  
Commissioner Dan Watermeier- Hearing Officer

### Wednesday, May 13, 2020:

#### **Enhanced Wireless 911 Advisory Board Meeting**

10:00 a.m. - Commission Hearing Room

This meeting will be held in accordance with the Governor's Executive Order No. 20-03. As the meeting will be held electronically, and no quorum of the public body will be physically present together, there will be no public in-person attendance. Remote access to the meeting will be available via WebEx or by telephone. Information for connecting may be accessed at the following link: <http://tiny.cc/State911DeptWebex> (case sensitive. Those wishing to attend anonymously may use "anonymous" for their name and "a@b.com" for their email address. To attend by telephone, dial 415-655-0003, then enter 929 828 733 when prompted for an access code.

## PRELIMINARY MINUTES

### **911 Service System Advisory Committee Meeting**

1:00 p.m. - Commission Hearing Room

This meeting will be held in accordance with the Governor's Executive Order No. 20-03. As the meeting will be held electronically, and no quorum of the public body will be physically present together, there will be no public in-person attendance. Remote access to the meeting will be available via WebEx or by telephone. Information for connecting may be accessed at the following link:

<http://tiny.cc/State911DeptWebex> (case sensitive). Those wishing to attend anonymously may use "anonymous" for their name and "a@b.com" for their email address. To attend by telephone, dial 415-655-0003, then enter 929 828 733 when prompted for an access code.

Tuesday, May 19, 2020:

### **Commission Meeting**

10:00 a.m. Virtual Meeting

This meeting will be held in accordance with the Governor's Executive Order No. 20-03. As the meeting will be held electronically, and no quorum of the public body will be physically present together, there will be no public in-person attendance. Remote access to the meeting will be available via Webex or by telephone. The Commission's Webex may be accessed by the following link:

<http://tiny.cc/PSCWebex> (case sensitive). Those wishing to attend anonymously may use "anonymous" for their name and "a@b.com" for their email address. To attend by telephone, dial 415-655-0003, then enter 926 434 190 when prompted for an access code.

Rule &  
Reg 202

### **Reverse Auction & Wireless Registry - Hearing**

1:30 pm. - via WebEx in the Commission Hearing Room  
Commissioner Rod Johnson presiding as Hearing Officer.  
This meeting will be held in accordance with the Governor's Executive Order No. 20-03. As the meeting will be held electronically, and no quorum of the public body will be physically present together, there will be no public in-person attendance. Remote access to the meeting will be available via Webex or by telephone. The Commission's Webex may be accessed by the following link:

<http://tiny.cc/PSCWebex> (case sensitive). Those wishing to attend anonymously may use "anonymous" for their name and "a@b.com" for their email address. To attend by telephone, dial 415-655-0003, then enter 926 434 190 when prompted for an access code.

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### COMMUNICATIONS DEPARTMENT

C-3206        In the Matter of the Commission, on its own Motion, to administer the Nebraska Internet Enhancement Fund. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order awarding grants. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-4459,       In the Matter of the Nebraska Public Service Commission, on PI-185       its own motion, to investigate and monitor compliance with federally mandated intercarrier compensation reform. Motion made by Commissioner Rod Johnson, seconded by Commissioner Dan Watermeier, to enter Progression Order #16. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5102        In the Matter of the Application of Grasshopper Group, LLC, Boston, Massachusetts, seeking approval of a Transfer of Control to Logan Parent, LLC, San Francisco, California. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-33/      In the Matter of the Commission, on its own Motion, seeking PI-68        to investigate the audit requirements related to the Nebraska Universal Service Fund. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Crystal Rhoades, to enter an Order adopting modifications to the audit policy. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-92,      In the Matter of the Commission, on its own Motion, seeking PO #10       to administer the Nebraska Universal Service Fund's Broadband Program: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order making modifications to the grant criteria for the broadband adoption program. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbin discussed the late-filed remittance worksheets for Norstan Network Services, Inc., and sought Commission approval to open a Complaint. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Crystal Rhoades, to approve opening a Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins informed the Commission of the telecommunications complaints and outages received by the Communications Department during the preceding month.

## PRELIMINARY MINUTES

### COMMUNICATIONS DEPARTMENT (Cont.)

Outages for April 2020							
Carrier	Area	Outage Date	Completion Date	Duration	Lines Affected	Primary Cause	Comments
Qwest Corporation	Norfolk	Apr-01-20	Apr-06-20	4 d 15 h	155	Damaged Cable	Wet cable as a result of the heavy rain in northeast NE. The cable was dried and working lines were repaired and customers placed back in service over the weekend. Repairs on the non-working lines were completed this morning.
Qwest Corporation	South Sioux City	Apr-03-20	Apr-03-20	0 d 7 h	816	Equipment	Temporary losses of commercial power caused outage - short interruptions of power (1 sec each) as a result of weather. Because interruptions were brief, generator didn't engage. Field Operations reset the breakers. The switch had to be rebooted.
Windstream Nebraska, Inc.	Lincoln	Apr-04-20	Apr-04-20	0 d 1 h	624	Equipment	Three remote sites hosted off the Lincoln, NE DMS100 experienced an outage for 19 minutes 33 seconds. Remotes auto-recovered before root cause isolation.
Qwest Corporation	Omaha	Apr-10-20	Apr-10-20	0 d 4 h	400	Cable Cut	A 400pr damaged by Widler Construction at 13630 Industrial Rd. It was located and looked like it was accurate. There wasn't any visible paint once I got there because of the digging, but the hole was hit only 3 ft from our equipment. Not a lot of damage but had to replace 75pr. I will also complete a claim against Widler today.  So the reason we were able to complete the repair so quickly is that Widler didn't cut all the way through our cable. We only had to repair a portion of the cable.
Qwest Corporation	Omaha	Apr-11-20	Apr-12-20	0 d 8 h	6834	Equipment	Toll Switch Isolation. The defective card was replaced and services were restored.
Qwest Corporation	Scottsbluff	Apr-21-20	Apr-21-20	0 d 1 h	1423	Cable Cut	Fiber was repaired to restore service. Our contractor was working on a CAF II project, getting ready to wire our equipment, and accidentally cut a transport cable that included 911 traffic. CenturyLink moved the traffic to a redundant cable so the callers still had access to 911 at the Scottsbluff PSAP while the contractor completed service restoration. Unfortunately, ANI/ALI was missing during the repair work (just over an hour and a half). Once the fiber cable was restored, CenturyLink moved the 911 traffic back to the normal transport cable and all service was restored for the Kimball County PSAP.
Dalton Telephone Company, Inc.	Dalton, Gurley, Lodgepole, Dix and Bushnell	Apr-22-20	Apr-22-20	0 d 7 h	550	Cable Cut	911/local/toll. Cut occurred in the Denver area. Connection to Denver has been restored and the outage cleared as of 12:23 PM MST. The PSAPs have been notified of the resolution. Website and social media notices have been taken down. We are in the process of contacting customers and returning to normal operations.
Windstream Nebraska, Inc.	Lincoln	Apr-24-20	Apr-24-20	d 8 h	905	Damaged Cable	Planned maintenance in the Hickman area as part of re-route of cable for NE road project. Maintenance ran long, and damaged fiber tube had to be repaired

### STATE 911 DEPARTMENT

911-019 In the Matter of the Nebraska Public Service Commission, on /PI-118 its own motion, to implement provisions of LB 1222 [2006] and to establish a permanent funding mechanism for wireless enhanced 911 service. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order authorizing payments for FY 2020/2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-073 In the Matter of the Nebraska Public Service Commission, on /PI-232 its own motion, to consider recommendations of the Service System Advisory Committee for creation of a new funding system for Next Generation 911. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an Order opening docket and seeking public comment. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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### NATURAL GAS DEPARTMENT

NG-107        In the Matter of the Application of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy for a deferred accounting order to record and preserve costs related to the Covid-19 pandemic. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter a Notice of Assessment order. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

E-2474        In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain electric transmission lines in Hitchcock, Hayes and Chase Counties. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

### TRANSPORTATION DEPARTMENT

B-1865        In the Matter of the Application of Dal Enterprises, LLC, North Platte, seeking to cancel and revoke its Certificate of Public Convenience and Necessity issued in Docket No. B-1865. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order granting the cancellation of certificate. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2011        In the Matter of the Application of Brad Johnson, d/b/a MVP Limousine, Scottsbluff, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by limousine between points in Perkins, Chase, Thomas, Logan, Hayes, Hitchcock, Red Willow, Frontier, Sioux, Scotts Bluff, Banner, Kimball, Cheyenne, Morrill, Box Butte, Dawes, Sheridan, Garden, Duel, Grant, Arthur, Keith, Lincoln, McPherson, Hooker, and Cherry counties and points between said counties over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2013        In the Matter of the Application of Premier Limousine, LLC, Kearney, seeking to acquire, through sale of assets and membership interest, the authority granted to Premier Limousine, LLC, Broken Bow, in Application No. B-1922. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an Order granting transfer and cancelling certificate B-1922. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

PRELIMINARY MINUTES

TRANSPORTATION DEPARTMENT (Cont.)

MCC-3196.02      Jamie L. Reyes, Director Motor Transportation  
Department, Nebraska Public Service Commission,  
Lincoln, Nebraska, Complainant v. Alpha Life Improvement Services;  
Big A Holdings, LLC dba OMALiNK; Big O's Party Bus, LLC; Black Diamond  
S&S; Bus at the Yard d/b/a Luxury Limousine; Careem Transportation,  
LLC; Daniel's Moving & Storage of Omaha, LLC; Denver Coach, Inc.;  
First Student dba First Student, Inc.; Ford Storage & Moving Co.; Good  
Times Limousine, Inc.; Kelly DeSive; King's Moving; Modest Movers, LLC  
dba Middle West Movers; Nebraska Taxi, LLC; Night Life Limousine, LLC;  
Omaha Omaha Handicap Transportation Services; Rapid Shuttle Service;  
Roadrunner Bus, LLC; Ronald D. Allgood dba Tree City Cab Company;  
Siouxland Paramedics, Inc.; Smiley's; T and T Party Bus, LLC dba T & T  
Limousines; The Wine Bus, LLC; and Xtreme Ride, LLC, Respondents.  
Motion made by Commissioner Crystal Rhoades, seconded by Commissioner  
Tim Schram, to enter an Order to dismiss, in part. Motion passed with  
Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram  
and Dan Watermeier voting AYE.

BR-583/      In the Matter of the Application of Nebraska Excellent  
B-1996      Health Transportation Services, Omaha, seeking to establish  
its rates and charges subject to the Provisions of Neb.  
Rev. Stat. Chapter 75, Articles 1 and 3. Motion made by Commissioner  
Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order  
granting rates. Motion passed with Commissioners Rod Johnson, Crystal  
Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

TR-217/      In the Matter of the Application of Fremont Cab Services,  
B-1702      LLC, Fremont, seeking to establish its rates and charges  
subject to the provisions of Neb. Rev. Stat. Chapter 75, Articles  
1 and 3. Motion made by Commissioner Rod Johnson, seconded by  
Commissioner Dan Watermeier, to enter an Order denying rates on an  
emergency basis. Motion passed with Commissioners Rod Johnson, Crystal  
Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve Commission  
invoices. No invoices were presented to the Commission for approval.

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The meeting adjourned at 10:31 AM with Commissioners Rod  
Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier  
present. The next regularly scheduled meeting will be held on May 19,  
2020 at 10:00 AM with an agenda to be available in the office of the  
Executive Director at 10:00 AM on May 18, 2020.

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Chair

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Executive Director